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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/682,444	10/09/2003	Patrick C. St. Germain	SSS-106	9792
7590 OLSON & HIERL, LTD. 36th Floor 20 North Wacker Drive Chicago, IL 60606			EXAMINER TAWFIK, SAMEH	
			ART UNIT 3721	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/13/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/682,444	GERMAIN, PATRICK C. ST.	
	Examiner	Art Unit	
	Sameh H. Tawfik	3721	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 23 January 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 11-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 11-16 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11, and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stemmler (U.S. Patent No. 5,088,707) in view of Hermach (U.S. Patent No. 3,942,782).

Stemmler discloses an apparatus for interfolding at least two sheets of material for forming a web of interfolded sheets of material, the apparatus comprising at least two dispensers providing sheets of material (Figs. 1-3; via W1 and W2); an inter-folder downstream from the dispensers and comprising a pair of folding rollers for receiving preformed sheet material from each of the dispensers and producing interfolded sheets of material (Figs. 1-3; via folding rollers 12 and 13).

Stemmler does not disclose performing dispensers to provide at least one longitudinally extending fold line and at least one fold respectively. However, Hermach discloses a similar apparatus comprising means for dispensing two different sheets and longitudinally folding the sheets (Fig. 2; via 26A-26C and 22A-22C).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Stemmler's folding apparatus by having the longitudinal folds to the sheets, as suggested by Hermach, in order to improve the apparatus for

associating and folding the respective sections of multi sectioned, bulky newspapers (column 2, lines 1-4).

Regarding claim 13: Stemmler discloses that the sheets of material respectively include a plurality of spaced apart transversely extending perforation lines (column 2, lines 50-52).

Regarding claim 14: Stemmler discloses that knife rolls between the dispensers and the folding rolls for clean cutting the interfolded sheets of material (Figs. 1-3; via cutting rollers 30).

Regarding claim 15: Stemmler discloses that perforating rolls perforating the interfolded sheets of material (column 12, lines 21 and 22).

Regarding claim 16: Stemmler does not disclose that the dispensers are folding boards. However, Hermach discloses a similar apparatus with having the dispensers serving as folding boards (Fig. 2; via 26A-26C and 22A-22C).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Stemmler's folding apparatus by having the dispenser being folding boards, as suggested by Hermach, in order to improve the apparatus for associating and folding the respective sections of multi sectioned, bulky newspapers (column 2, lines 1-4).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stemmler (U.S. Patent No. 5,088,707) in view of Hermach (U.S. Patent No. 3,942,782) as applied to claim 11 above, and further in view of DuFresne (U.S. Patent No. 4,824,426).

Stemmler in view of Hermach do not disclose the claimed double "c" shaped fold as described in page 3 lines 29-31 and page 4, lines 1 and 2 of the filed specification of the invention. However, DuFresne discloses such "c" shaped folds as seen in Fig. 3.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Stemmler in view of Hermach folding apparatus, by folding means to fold the sheet to the double fold "c" type, as suggested by DuFresne, in order to provide a starter tab for manual grasping to remove the web segments from a container (column 1, lines 66-68).

Response to Arguments

Applicant's arguments filed 01/23/2007 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both references are related to feeding and folding continues web, as '707 discloses dispensing and folding the web transversely while '782 discloses dispensing and folding the web longitudinally while feeding the web into the machine, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Stemmler's folding apparatus by having the longitudinal folds to the sheets, as suggested by Hermach, in order to improve the apparatus for associating and folding the respective sections of multi sectioned, bulky newspapers (column 2, lines 1-4).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sameh H. Tawfik whose telephone number is 571-272-4470. The examiner can normally be reached on Tuesday - Friday from 9:00 AM to 7:30 PM.

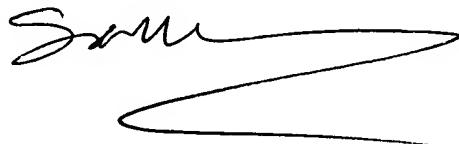
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on 571-272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3721

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sameh H. Tawfik
Primary Examiner
Art Unit 3721

ST.

A handwritten signature in black ink, appearing to read "Sameh H. Tawfik".